

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

LATRELL ADAMS

PLAINTIFF

VS.

CIVIL ACTION NO. 5:08-cv-154(DCB)(MTP)

JACQUELINE BANKS,  
SANDRA JACKSON,  
AND SANDRA JACKSON

DEFENDANTS

ORDER

This cause is before the Court on various motions filed by the plaintiff. Having carefully considered the motions, and being fully advised in the premises, the Court finds as follows:

The plaintiff moves for the appointment of an expert witness (**docket entry 279**). The Court finds that an expert is not necessary to help the jury understand the facts of this case. Pursuant to Federal Rule of Evidence 706(a), the motion shall be denied.

The plaintiff has filed two motions to add additional exhibits to his exhibit list (**docket entries 287 and 300**). The motions shall be granted.

The plaintiff moves to amend his prayer for relief to include nominal damages (**docket entry 289**). There being no objection by the defendants, the motion shall be granted.

The plaintiff moves to exclude the witness John Fields from his witness list (**docket entry 299**). The Court has already cancelled the writ for Mr. Fields at the request of Mr. Adams, and the motion is granted.

In an Order of June 4, 2010, the Court notified the plaintiff

that he would be allowed to argue at trial in favor of the Court taking judicial notice of certain factual findings in the Surgeon General's Report of June 2006. The plaintiff did not bring up the issue at trial. The Court therefore finds that the plaintiff has waived this request.

Accordingly,

IT IS HEREBY ORDERED that the plaintiff's motion for the appointment of an expert witness (**docket entry 279**) is DENIED;

FURTHER ORDERED that the plaintiff's two motions to add additional exhibits to his exhibit list (**docket entries 287 and 300**) are GRANTED;

FURTHER ORDERED that the plaintiff's motion to amend his prayer for relief to include nominal damages (**docket entry 289**) is GRANTED;

FURTHER ORDERED that the plaintiff's motion to exclude the witness John Fields from his witness list (**docket entry 299**) is GRANTED;

FURTHER ORDERED that the plaintiff has waived his request for the Court to take judicial notice of certain factual findings in the Surgeon General's Report of June 2006.

SO ORDERED, this the 9th day of June, 2010.

/s/ David Bramlette  
UNITED STATES DISTRICT JUDGE